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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,066	10/07/2003	Bag Gi Cho	2060-3-69	8614

7590 06/13/2006

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EXAMINER

MOE, AUNG SOE

ART UNIT

PAPER NUMBER

2618

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/681,066

Applicant(s)

CHO, BAG GI

Examiner

Aung S. Moe

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-32 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date see attached.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The abstract of the disclosure is objected to because in line 2 of the abstract the legal phrase “comprises” should be changed to - - includes - -. Correction is required. See MPEP § 608.01(b).
2. The disclosure is objected to because of the following informalities: the disclosure fails to provide “BRIEF DESCRIPTION OF THE DRAWINGS”.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kasamatsu (U.S. 5,852,770).

Regarding claim 1, Kasamatsu ‘770 discloses an apparatus for controlling output power of a mobile terminal (i.e., noted the mobile terminal as shown in Fig. 2; see col. 1, lines 10+) comprising: a power amplifier module (i.e., noted the element 101 as shown in Fig. 2; see col. 3, lines 60+) for amplifying power of a radio frequency signal (i.e., noted the RF signal provide at

Art Unit: 2618

the INPUT as shown in Fig. 2), corresponding to a data signal, to a first power level (i.e., noted that the power level as shown in Figs. 4 and 5; see col. 5, lines 55+); a transmitter (i.e., Fig. 2, noted the transmitter of the radio communication device 10 as shown in Fig. 2) for radiating the radio frequency signal at the first power level to a base station (i.e., noted the cell stations as discussed col. 5, lines 35+) through an antenna (140) of a mobile terminal (10); and a power compensating unit (100) for measuring the first power level and generating a first difference value (i.e., noted the Vcont value provided to the element 101 as shown in Fig. 2) by comparing the first power level (Vdc) with a pre-set reference power value(Vref), wherein the power amplifier module controls an amplification factor for amplifying the power of the radio frequency signal corresponding to the data signal on the basis of the first difference value (i.e., see col. 5, lines 15+; col. 5, lines 30+; col. 7, lines 30+).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kasamatsu '770.

As for claim 2, Kasamatsu '770 show the transmitter (Fig. 2) comprise: a coupler (102) for detecting the first power level (i.e., see col. 4, lines 34+ and col. 6, lines 15+); and an antenna for reradiating the radio frequency signal to the base station (i.e., see col. 3, lines 50+ and col. 5, lines 15), and moreover, it is noted from Fig. 2 of Kasamatsu '770 that the RF signal is

Art Unit: 2618

transmitted via the antenna 140 of the mobile terminal 10, Kasamatsu '770 does not explicitly show the use of an antenna switch and a mobile switch.

However, it is clearly obvious from Fig. 1 (Related Art) of the Applicant's disclosure that it is conventionally known to use an antenna switch and a mobile switch (i.e., elements 2 and 3 of the Related Art of Fig. 1), thus, the Examiner takes an Official Notice that it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use a conventional mobile/antenna switches normally used in the mobile terminal 10 of Kasamatsu '770 for the purpose of transmitting radio signal form the mobile phone terminal 10 as known to the person skilled in the art.

*Allowable Subject Matter*

7. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter for claims 4-32:

Regarding claims 4-20, it is noted that the prior art of record fails to show or fairly suggest a mobile communication device having a power adjusting unit measures first and second signal power levels respectively associated with the first and second signals to determine first and second difference values, and wherein an amplification factor of the amplification module is adjusted based on the first and second difference values as recited in independent claim 4.

Regarding claims 21-32, it is noted that prior art of record fails to show or fairly suggest a method for maintaining an amplified transmission level for a mobile communication device, the method including the step of: comparing a first power level associated with a first signal generated by an amplification module with a first threshold to determine a first difference value; comparing a second power level associated with second signal generated by an antenna in communication with the amplification module with a second threshold to determine a second difference value; and adjusting an amplification factor of the amplification module based on the first and second difference values as recited in independent claim 21.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Following references are related to the present claimed invention:

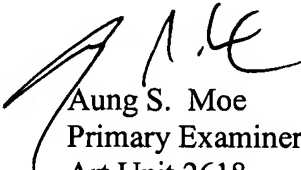
EP 989689A2	US 20050059424A1	US006819938B2	5,732,334
US005590408A	US006751448B1	US005752172A	US005432473A
US007006843B1	US006430402B1	US005606285A	US006370364B1

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aung S. Moe whose telephone number is 571-272-7314. The examiner can normally be reached on Flex.

Art Unit: 2618

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Aung S. Moe  
Primary Examiner  
Art Unit 2618

A. Moe  
June 9, 2006